

SENATE BILL NO. 396

INTRODUCED BY JOE BALYEAT

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LIMITATIONS ON CAMPAIGN CONTRIBUTIONS AND EXPENDITURES AND EXPENDITURES FOR SUPREME COURT CANDIDATES; AND AMENDING SECTIONS ~~13-37-216~~ AND SECTION 13-37-218, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

~~Section 1.~~ Section 13-37-216, MCA, is amended to read:

~~"13-37-216. Limitations on contributions. (1) (a) Aggregate contributions for each election in a campaign by a political committee or by an individual, other than the candidate, to a candidate are limited as follows:~~

~~—— (i) for candidates filed jointly for the office of governor and lieutenant governor, not to exceed \$500;~~

~~—— (ii) for a candidate to be elected for state office in a statewide election, other than the candidates for governor and lieutenant governor or for justice of the supreme court, not to exceed \$250;~~

~~—— (iii) for a candidate for justice of the supreme court or for any other public office, not to exceed \$130.~~

~~—— (b) A contribution to a candidate includes contributions made to the candidate's committee and to any political committee organized on the candidate's behalf.~~

~~—— (2) (a) A political committee that is not independent of the candidate is considered to be organized on the candidate's behalf. For the purposes of this section, an independent committee means a committee that is not specifically organized on behalf of a particular candidate or that is not controlled either directly or indirectly by a candidate or candidate's committee and that does not act jointly with a candidate or candidate's committee in conjunction with the making of expenditures or accepting contributions.~~

~~—— (b) A leadership political committee maintained by a political officeholder is considered to be organized on the political officeholder's behalf.~~

~~—— (3) All political committees except those of political party organizations are subject to the provisions of subsections (1) and (2). For purposes of this subsection, "political party organization" means any political organization that was represented on the official ballot at the most recent gubernatorial election. Political party organizations may form political committees that are subject to the following aggregate limitations from all~~

political party committees:

~~———— (a) for candidates filed jointly for the offices of governor and lieutenant governor, not to exceed \$18,000;~~

~~———— (b) for a candidate to be elected for state office in a statewide election, other than the candidates for governor and lieutenant governor, not to exceed \$6,500;~~

~~———— (c) for a candidate for public service commissioner, not to exceed \$2,600;~~

~~———— (d) for a candidate for the state senate, not to exceed \$1,050;~~

~~———— (e) for a candidate for any other public office, not to exceed \$650.~~

~~———— (4) A candidate may not accept any contributions in excess of the limits in this section.~~

~~———— (5) For purposes of this section, "election" means the general election or a primary election that involves two or more candidates for the same nomination. If there is not a contested primary, there is only one election to which the contribution limits apply. If there is a contested primary, then there are two elections to which the contribution limits apply."~~

Section 1. Section 13-37-218, MCA, is amended to read:

"13-37-218. Limitations on receipts from political committees. (1) A candidate for the state senate may receive no more than \$2,150 in total combined monetary contributions from all political committees contributing to the candidate's campaign, and a candidate for the state house of representatives may receive no more than \$1,300 in total combined monetary contributions from all political committees contributing to the candidate's campaign.

(2) A candidate for the office of supreme court justice may receive no more than \$2,150 \$18,000 in total combined monetary contributions from all political committees, including incidental political committees, contributing to the candidate's campaign.

(3) The limitations in this section must be multiplied by an inflation factor, which is determined by dividing the consumer price index for June of the year prior to the year in which a general election is held by the consumer price index for June 2003. The resulting figure must be rounded up or down to the nearest \$50 increment. The commissioner shall publish the revised limitations as a rule. In-kind contributions must be included in computing these limitation totals. The limitation provided in this section does not apply to contributions made by a political party eligible for a primary election under 13-10-601.

(4) For purposes of [section 3] and [SECTION 2] AND this section, "incidental political committee" means a political committee that is not specifically organized or maintained for the primary purpose of influencing

elections but that may incidentally become a political committee by making a contribution or expenditure to support or oppose a candidate ~~or issue.~~"

NEW SECTION. SECTION 2. SUPREME COURT CANDIDATES -- LIMITS ON INDEPENDENT EXPENDITURES. (1)
AN INCIDENTAL POLITICAL COMMITTEE MAY NOT MAKE AN INDEPENDENT EXPENDITURE IN CONNECTION WITH A CANDIDATE FOR JUSTICE OF THE SUPREME COURT OR A POLITICAL COMMITTEE THAT SUPPORTS OR OPPOSES A CANDIDATE FOR JUSTICE OF THE SUPREME COURT IN EXCESS OF \$1,300 FOR EACH ELECTION IN A CAMPAIGN.

(2) FOR PURPOSES OF THIS SECTION, "INDEPENDENT EXPENDITURE" MEANS AN EXPENDITURE FOR COMMUNICATIONS EXPRESSLY ADVOCATING THE SUCCESS OR DEFEAT OF A CANDIDATE THAT IS NOT MADE WITH THE COOPERATION OR PRIOR CONSENT OF, IN CONSULTATION WITH, OR AT THE REQUEST OR SUGGESTION OF A CANDIDATE OR POLITICAL COMMITTEE OR AN AGENT OF A CANDIDATE OR POLITICAL COMMITTEE.

~~NEW SECTION. Section 3. Supreme court candidates -- limitations on independent expenditures.~~
~~(1) An incidental political committee may not make an independent expenditure in connection with a candidate for justice of the supreme court or a political committee that supports or opposes a candidate for justice of the supreme court in excess of \$1,300 for each election in a campaign.~~

~~(2) For purposes of this section, "independent expenditure" means an expenditure for communications expressly advocating the success or defeat of a candidate that is not made with the cooperation or prior consent of or in consultation with or at the request or suggestion of a candidate or political committee or an agent of a candidate or political committee.~~

~~NEW SECTION. Section 4. Codification instruction. [Section 3] is intended to be codified as an integral part of Title 13, chapter 37, part 2, and the provisions of Title 13, chapter 37, part 2, apply to [section 3].~~

NEW SECTION. SECTION 3. CODIFICATION INSTRUCTION. [SECTION 2] IS INTENDED TO BE CODIFIED AS AN INTEGRAL PART OF TITLE 13, CHAPTER 37, PART 2, AND THE PROVISIONS OF TITLE 13, CHAPTER 37, PART 2, APPLY TO [SECTION 2].

- END -